

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTIETH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 14839 of 2004

Between:

T.Subrahmanyam, S/o Venkateswarlu,
Thakkellapaud PACS, Presently residing at

Ganapavaram Village, Nadendla Mandal,
Guntur District

..... PETITIONER

AND

- 1 The Joint Registrar / District Cooperative Officer, Guntur.
- 2 The Divisional Cooperative Officer, Guntur.
- 3 The Deputy Registrar of Cooperative Societies, Guntur.
- 4 The General Manager, Guntur District Cooperative

Central Bank Limited, Guntur

- 5 Thakkellapadu PACS represented by its Chair Person

Thakkellapadu, Phirangipuram Mandal,
Guntur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, Order or direction more particularly one in the nature of Mandamus or any other appropriate Writ, declaring the proceedings in Rc.No.1/CP/2002-2003, dated 25-05-

2002 of the 5th respondent and also the action on the part of the respondents in not paying the subsistence allowance to the petitioner during his suspension and not reinstating into service as illegal, arbitrary, contrary to articles 14 and 16 of the Constitution of India and also sub-Section 6 of section 47 of A.P. Shops and Establishments Act and consequentially to pass appropriate order with all consequential benefits and to pass such other order or orders.

Counsel for the Petitioner: MR.K.ANANDA RAO

Counsel for the Respondents 1 to 4: GP FOR COOPERATION

Counsel for the Respondent No.5: None appeared

The Court at the stage of admission made the following:

ORDER:

The petitioner was working as a Secretary of the fifth respondent-Society. He was kept under suspension through proceedings Rc.No.1/CP/2002-2003, dated 25.05.2002.

The grievance of the petitioner is that from the date of suspension, he was not paid any amount towards subsistence allowance. Therefore, he approached this Court to issue necessary direction to the 5th respondent to pay the subsistence allowance during the suspension period.

In the light of the circumstances explained by the petitioner, the fifth respondent is directed to pay the subsistence allowance to the petitioner with effect from 25.05.2002 according to Rules, if the amount is not paid so far, and continue to pay the same as per Rules during the period of suspension. Further, the respondents 1 and 2 are directed to issue necessary orders to the fifth respondent for immediate payment of the subsistence allowance to the petitioner due as on today and for continuing payment during the period of suspension.

With the above observation, the writ petition is disposed of. No order as to costs.

(DR.G.YETHIRAJULU, J)

20.08.2004

dr

To

- 1 The Joint Registrar / District Cooperative Officer, Guntur.
- 2 The Divisional Cooperative Officer, Guntur.
- 3 The Deputy Registrar of Cooperative Societies, Guntur.
- 4 The General Manager, Guntur District Cooperative

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Thakkellapadu, Phirangipuram Mandal,
Guntur District.

- 6 Two CCS to Govt. Pleader for Co-Operation, High Court Buildings,
Hyderabad. (OUT)

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